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I. With regard to the rejection of claims 1-3, 5-13 and 16-24 under 35 USC 103(a) as being unpatentable over Misra in view of Kobus, it is respectfully submitted that there is no suggestion in either reference for the proposed combination and even the proposed combination cannot render the present invention obvious since even the hypothetical combination of references fails to suggest several of the recited features of the noted claims. ....	
	12
II. With regard to the rejection of claims 4 and 15 under 35 USC 103(a) as being unpatentable over Misra in view of Kobus and in still further view of Doherty, it is respectfully submitted that there is no suggestion in any of the references for the proposed combination and even the proposed combination cannot render the present invention obvious since even the hypothetical combination of references fails to suggest several of the recited features of the noted claims. ....	
	18
III. With regard to the rejection of claim 14 under 35 USC 103(a) as being unpatentable over Misra in view of Kobus and in still further view of Nabahi, it is respectfully submitted that there is no suggestion in any of the references for the proposed combination and even the proposed combination cannot render the present invention obvious since even the hypothetical combination of references fails to suggest several of the recited features of the noted claim. ....	
	19

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95 REAL PARTY IN INTEREST

96  
97 The present application is assigned to International Business  
98 Machines Corporation, the real party in interest.  
99

100  
101 RELATED APPEALS AND INTERFERENCES

102  
103 There are no related Appeals or Interferences currently pending.  
104  
105

106 STATUS OF THE CLAIMS

107  
108 Claims 1-6, 8-15 and 17-19 are pending and stand finally rejected  
109 by the Examiner as noted in the Final Office Action mailed  
110 November 7, 2005. The rejection of claims 1-6, 8-15 and 17-19 is  
111 hereby being appealed.  
112  
113

114 STATUS OF AMENDMENTS

115  
116 No Amendments have been filed subsequent to the Final Rejection  
117 which was mailed on 4/6/06.  
118  
119

120 SUMMARY OF THE CLAIMED SUBJECT MATTER

121  
122 The subject patent application includes independent claims 1, 16

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and 24, and the remaining claims ultimately depend from and include all of the limitations of one of the independent claims. Claim 1 recites a method embodying the present invention, claim 16 recites a medium embodying the present invention and claim 24 recites a network embodying the present invention. A concise explanation of the claimed subject matter is defined in each of the independent claims 1, 16 and 24, which, along with exemplary specification and drawing references, is set forth below.

1. A method for extracting identification information from a software package (*e.g., inter alia, Figure 5 and Page 11, line 22, to page 12, line 23*), said software package including a number of executable software modules (*Figure 6, Program Modules 601, page 12 line 25 to page 13, line 26 and 814 Figure 8*) organized in a manner (*e.g., inter alia, Linked Program Modules 603, Figure 6*) determined by said identification information (*e.g., inter alia, Figure 5*), said method comprising:

determining an organization of said executable software modules within said software package (*e.g., inter alia, 811, 813 and 814 Figure 8*); and

extracting (*e.g., inter alia, 815 Figure 8*) said identification information (*e.g., inter alia, Figure 5 and 605 Figure 6*) from said organization of said executable software modules (*e.g., inter alia, 603 Figure 6*) within said software package.

To the combination set forth in claim 1, claim 2 adds the

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151 recitation that the "executable modules are coupled together  
152 (e.g., *inter alia*, 603 Figure 6) in a manner representative of  
153 said identification information (e.g., *inter alia*, Figure 5 and  
154 605 Figure 6).

155  
156 To the combination set forth in claim 2, claim 3 adds the  
157 recitation that said executable software modules are coupled  
158 together by compiling (e.g., *inter alia*, p9, 127 et seq., p10,  
159 127 & 32 et seq., & p11, 17 et seq.) said software modules into  
160 an executable form of said software package.

161  
162 To the combination set forth in claim 2, claim 4 adds the  
163 recitation that said executable software modules are coupled  
164 together by linking (e.g., *inter alia*, Abstract, line 15; p9,  
165 line 27, 31; p10, line 32; p11, 7; p12, lines 7, 19 and 22 et  
166 seq.) said executable software modules into an executable form of  
167 said software package.

168  
169 To the combination set forth in claim 1, claim 5 adds the  
170 recitations of analyzing said software package to determine an  
171 organizational relationship among said executable software  
172 modules; and determining a binary series (e.g., *inter alia*,  
173 Abstract lines 11-13; p3, line 16 et seq.; p11, line 16 et seq.;  
174 p11, line 31 et seq.) from said organizational relationship of  
175 said executable software modules.

176  
177 To the combination set forth in claim 1, claim 6 adds the  
178 recitation of transmitting said software package over a network

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179 (e.g., *inter alia*, Abstract line 16 et seq.) to a requesting  
180 terminal, said requesting terminal being enabled to extract said  
181 identification information from said organization of said  
182 executable software modules of said software package.

183  
184 To the combination set forth in claim 6, claim 7 adds the  
185 recitation that said software package is transmitted from a user  
186 terminal over an Internet network (e.g., *inter alia*, p2, lines  
187 15, 29; Figure 4, 405) to a server (e.g. *inter alia*, Figure 4,  
188 407).

189  
190 To the combination set forth in claim 6, claim 8 adds the  
191 recitation that said user terminal is a wireless device (e.g.,  
192 *inter alia*, p5, line 22 et seq.).

193  
194 To the combination set forth in claim 6, claim 9 adds the  
195 recitation that said user terminal is a personal computer system  
196 (e.g., *inter alia*, p5, line 22 et seq.).

197  
198 To the combination set forth in claim 1, claim 10 adds the  
199 recitation that said identification information includes an  
200 identification of a user (e.g., *inter alia*, p13, line 21 et seq.)  
201 of said software package.

202  
203 To the combination set forth in claim 1, claim 11 adds the  
204 recitation that said identification information includes an  
205 identifying number (e.g., *inter alia*, p13, line 21 et seq.)  
206 related to said software package.

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207  
208 To the combination set forth in claim 11, claim 12 adds the  
209 recitation that said identification information further includes  
210 an identification of a user (*e.g., inter alia, p13, line 20 et*  
211 *seq.*) of said software package.  
212  
213 To the combination set forth in claim 1, claim 13 adds the  
214 recitation that said executable software modules are organized in  
215 a series of sets (*e.g., inter alia, p13, line 27 et seq.*) of  
216 executable software modules, each of said sets comprising a  
217 predetermined number of executable software modules.  
218  
219 To the combination set forth in claim 13, claim 14 adds the  
220 recitation that said series of sets corresponds to a binary  
221 series, (*e.g., inter alia, Abstract lines 11-13; p3, line 16 et*  
222 *seq.; p11, line 16 et seq.; p11, line 31 et seq.*) and each of  
223 said sets comprises first and second executable software modules,  
224 said binary series being determined in accordance with a sequence  
225 of said first and second executable software modules within said  
226 sets of said executable software modules.  
227  
228 To the combination set forth in claim 13, claim 15 adds the  
229 recitation that said series of sets is organized in other than a  
230 binary format (*e.g., inter alia, p9, line 1 et seq.; p11, line 24*  
231 *et seq.*), each of said sets comprising a number of said  
232 executable software modules other than two, said identification  
233 information being determined according to an order in which said  
234 number of executable software modules are sequenced within said

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235 sets of executable software modules.

236

237 The drawing and specification references of independent claim 16  
238 correspond to the similar elements as identified above for  
239 independent claim 1.

240

241 16. A medium including machine readable coded indicia, said  
242 machine readable coded indicia being selectively operable in  
243 combination with a processing circuit for extracting embedded  
244 identification information from a software package (e.g., *inter*  
245 *alia*, *Figure 5 and Page 11, line 22, to page 12, line 23*), by  
246 determining an organization of executable software modules  
247 (*Figure 6, Program Modules 601, page 12 line 25 to page 13, line*  
248 *26 and 814 Figure 8*) within said software package, wherein  
249 relationships between said executable software modules (e.g.,  
250 *inter alia*, *Linked Program Modules 603, Figure 6*) are  
251 representative of said identification information (e.g., *inter*  
252 *alia*, *Figure 5*), embedded within said software package.

253

254 To the combination set forth in claim 16, claim 17 adds the  
255 recitation that said medium is an optically encoded disk (e.g.,  
256 *inter alia*, *222 Figure 2*).

257

258 To the combination set forth in claim 16, claim 18 adds the  
259 recitation that said medium is a magnetically encoded magnetic  
260 diskette (e.g., *inter alia*, *219 Figure 2*).

261

262 To the combination set forth in claim 16, claim 19 adds the

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263 recitation that said software package resides on a storage device  
264 (e.g., *inter alia*, 218 Figure 2) within a computer device.

265  
266 To the combination set forth in claim 16, claim 20 adds the  
267 recitation that the software package resides on a memory device  
268 (e.g., *inter alia*, 207 Figure 2) within a computer device.

269  
270 To the combination set forth in claim 16, claim 21 adds the  
271 recitation that said embedded identification information includes  
272 an identification of a user (e.g., *inter alia*, p13, line 20 et  
273 seq.) of said software package.

274  
275 To the combination set forth in claim 16, claim 22 adds the  
276 recitation that said embedded identification information includes  
277 an identifying number (e.g., *inter alia*, p13, line 21 et seq.)  
278 related to said software package.

279  
280 To the combination set forth in claim 22, claim 23 adds the  
281 recitation that said embedded identification information further  
282 includes an identification of a user (e.g., *inter alia*, p13, line  
283 20 et seq.) of said software package.

284  
285 The drawing and specification references of independent claim 24  
286 correspond to the similar elements as identified above for  
287 independent claims 1 and 16.

288  
289 24. A network arranged to enable extracting of organizational  
290 information of an organization of executable software modules

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291 (Figure 6, Program Modules 601, page 12 line 25 to page 13, line  
292 26 and 814 Figure 8) within a software package (e.g., inter alia,  
293 Figure 5 and Page 11, line 22, to page 12, line 23), at a user  
294 terminal and transferring said organizational information to a  
295 server for use in deriving identification information embedded  
296 within said organizational information, said network comprising:  
297  
298 a user terminal (e.g., inter alia, 401, Figure 4) at which said  
299 software package resides;  
300  
301 a server (e.g., inter alia, 407, Figure 4); and  
302  
303 an interconnection (e.g., inter alia, 403 and 405, Figure 4)  
304 between said server and said user terminal, said user terminal  
305 being responsive to a request to upload said organizational  
306 information of said software package for determining said  
307 organizational information and transferring said organizational  
308 information to said server (e.g., inter alia, 811 and 813 Figure  
309 8).

310  
311 **GROUND OF REJECTION TO BE REVIEWED ON APPEAL**  
312

313 I. Claims 1-3, 5-13 and 16-24 were rejected under 35 USC 103(a)  
314 as being unpatentable over Misra (U.S. Patent 6,189,146 B1) in  
315 view of Kobus (U.S. Patent 4,864,494);  
316

317 II. Claims 4 and 15 were rejected under 35 USC 103(a) as being  
318 unpatentable over Misra in view of Kobus, and still in further

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view of Doherty et al (U.S. Patent 6,920,567 B1); and

III. Claim 14 was rejected under 35 USC 103(a) as being unpatentable over Misra in view of Kobus, and still in further view of Nabahi (U.S. Patent 6,006,035).

### ARGUMENT

I. With regard to the rejection of claims 1-3, 5-13 and 16-24 under 35 USC 103(a) as being unpatentable over Misra in view of Kobus, it is noted that the present invention provides a means by which software identification information, such as a user name or software package serial number, is extracted from a software package by determining the manner in which executable software modules are organized in the software package. With the present invention, user identification or the serial number identification, for example, of a particular software package, may be ascertained by the manner in which the software package executable modules are arranged. In one example, the identification information is represented in binary format, i.e. a series of "1's" and "0s", and that identification information is applied to the sequencing of executable software modules in a software package such that one sequence of executable software modules represents a binary "one" while another sequence of executable software modules represents a binary "zero". Thus by determining the relative sequencing of the executable software modules (rather than, for example, accessing a data file), one is

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347 enabled to re-assemble the binary identification information  
348 which is embedded into the software package and determine, for  
349 example, the licensed owner of the software package and/or the  
350 serial number of the software package. Formats other than a  
351 binary format may also be implemented.

352  
353 As stated in applicant's specification, "instead of including  
354 user information in a separate code segment of the download, the  
355 transaction information is included in the structure or  
356 organization of the downloaded code or data. Every software  
357 package consists of code blocks, data areas, subroutines, methods  
358 and other such subcomponents. After a requesting user has  
359 furnished the requested information and agreed to the terms of a  
360 license agreement, the website will compile and link the various  
361 components of the software package together to form an executable  
362 module which is then downloaded to the user. Normally, when the  
363 various components of the software package are linked together to  
364 form the executable module, the exact order of placement or  
365 sequence of the components is usually not critical for the proper  
366 execution of the software. In accordance with the present  
367 invention however, the ordering and/or sequence of those  
368 components and/or sub-components is used to encode selected  
369 transaction information such that this encoded information can  
370 later be extracted from the licensed software and copies of the  
371 licensed software in the downloaded executable form. Thus, the  
372 ordering or sequence of the software package components is used  
373 to encode a serial number for the licensed software package as  
374 well as other useful information. The embedded information can be

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375 checked at a later time to determine if the software or data have  
376 been tampered with or if the usage pattern leads to suspicions  
377 about illegal copying. The embedded information can then be used  
378 to track down the source of the illegal copies".

379  
380 With specific regard to the rejection of to the rejection of  
381 claims 1-3, 5-13 and 16-24 under 35 USC 103(a) as being  
382 unpatentable over Misra in view of Kobus,, it is noted that Misra  
383 discloses a software licensing system which includes a license  
384 generator located at a licensing clearinghouse and at least one  
385 license server and multiple clients located at a company or  
386 entity. To prevent a license pack from being copied and installed  
387 on multiple license servers, the license generator assigns a  
388 unique license pack ID with the particular license server in a  
389 master license database kept at the licensing clearinghouse. To  
390 prevent an issued license from being copied from one client  
391 machine to another, the software license is assigned to a  
392 specific client by including a client ID within the license, i.e.  
393 the identity of the client **is typed** into the license agreement.  
394 The software license also has a license ID that is associated  
395 with the client ID in a database record kept at the license  
396 server. There is no mention or suggestion anywhere in Misra of  
397 **extracting ID information by determining an organization of the**  
398 **executable software modules within a software package.**

399

400 To support the allegation that Misra anticipated the present  
401 invention, specifically to support the alleged anticipation of  
402 the claim language "**determining an organization of said software**

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403 **modules** within said software package"(emphasis added), the  
404 Examiner had cited column 6, lines 25-35 of Misra in which the  
405 following language appears: "The certifying authority performs a  
406 verification analysis of the **organization** to verify that it is a  
407 real entity and that the identification information is true and  
408 accurate" (emphasis added). In the cited Misra reference, just  
409 above the quoted reference, in column 6 line 31, it is stated  
410 that "The entity or **organization** that owns, or is responsible  
411 for, the license server 28 registers itself with an independent  
412 certifying authority that is trusted by both the **organization** and  
413 the clearinghouse" (emphasis added).

414  
415 It is submitted that an "**organization**", meaning a company,  
416 corporation or other entity, does not and cannot suggest in any  
417 possible way the use of the "**organization**" (or arrangement) of  
418 executable software modules in a software package.

419  
420 Although a word search for the word "organization" apparently  
421 returned the Misra reference, the resulting Misra reference was  
422 applied without due consideration of the different contexts and  
423 meanings for the word "organization". The cited Misra reference  
424 and the present application use two different meanings for the  
425 word "organization" and one has nothing to do with the other,  
426 much less does Misra's use of the word "organization" (e.g. a  
427 corporate entity) provide any basis which could possibly be used  
428 to render obvious the use of the "**organization**" (e.g. an  
429 arrangement or sequence) of executable software modules to  
430 extract information, such as user ID or program serial number,

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431 from a software program.

432

433 In another language reference to Misra which is relied upon in  
434 citing Misra as using the term "organization", column 12, lines  
435 13-15 of Misra states that "The licenses are **organized** in the  
436 license cache 136 according to information about the license  
437 issuing authority and product ID (emphasis added)". This language  
438 in Misra clearly refers to listing licenses in a cache by issuing  
439 authority i.e. all from one authority get listed together before  
440 those from another authority. Listing licenses in a database or  
441 cache by entities, either alphabetically or otherwise, has  
442 nothing to do with organizing or **arranging executable software**  
443 **modules** in a software package to embed information about the  
444 software package whereby such information can be extracted by  
445 analysis of the order or sequence of the executable modules  
446 within the software package as is claimed by the applicant.

447

448 Misra does not extract software package identification  
449 information from the manner in which **executable** software modules  
450 in the software package are arranged or organized. With the  
451 present invention, **the arrangement of executable software modules**  
452 **within the software package contains the information needed to**  
453 **re-assemble the user identification information** of the software  
454 package. Misra, instead, maintains the software ID information in  
455 a database (Abstract, 2:40, 2:50, 3:19, etc.) and **not in an**  
456 **arrangement of the executable software modules** in a software  
457 package. Thus, it is submitted that the Misra reference fails as  
458 a reference for disclosing or even suggesting the extraction of  
459 information from the mere **organization** or arrangement of

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460 executable software modules in a software program.

461

462 The Kobus reference is similar to Misra in that there is no

463 teaching or even suggestion for determining an organization of

464 executable software modules within a software package and

465 extracting identification information from the organization of

466 executable software modules within the software package, as is

467 clearly recited in all of the pending independent claims 1, 16

468 and 24. Kobus, which was cited for the first time in the Final

469 Office Action mailed 4/6/2006, discloses a system that includes

470 an encrypted security message uniquely encoded at predetermined

471 locations within a software or program function. The software

472 includes pre-set errors to cause failure of execution of the

473 function unless the errors are nulled during the operation of the

474 program. Kobus nowhere even suggests **determining an organization**

475 **of executable software modules within a software package and**

476 **extracting identification information from the organization of**

477 **the executable software modules within said software package as**

478 **is clearly stated in the independent claims 1, 16 and 24.**

479

480 Further, it is submitted that there is no suggestion in either

481 reference for the hypothetical combination of Misra and Kobus

482 since each reference accomplishes a different function in a

483 different manner. i.e. Misra teaches the maintenance of a client

484 identification in a database while Kobus teaches a method of

485 preventing an operation of a software program without first

486 removing errors which are pre-set into the program. Neither

487 reference either teaches or even suggests extracting information

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488 from the arrangement or organization of executable modules within  
489 a software package as is clearly recited in all of the  
490 independent claims and also, through dependence, in the dependent  
491 claims as well.

492  
493 Thus, it is submitted that there is no basis in either reference  
494 for the hypothetical combination of Misra and Kobus and further,  
495 that since neither Misra nor Kobus either discloses or suggests  
496 determining an organization of executable software modules within  
497 a software package and extracting identification information from  
498 the organization of the executable software modules within said  
499 software package, it is submitted that even the hypothetical  
500 combination of Misra and Kobus fails to render the present  
501 invention as stated in the pending independent claims 1, 16 and  
502 24 and related dependent claims 2-3, 5-13 and 17-23 obvious under  
503 35 USC 103(a).

504

505 **II. With regard to the rejection of claims 4 and 15 under 35 USC**  
506 **103(a) as being unpatentable over Misra in view of Kobus and in**  
507 **still further view of Doherty, it is noted that claims 4 and 15**  
508 **are dependent from, and include all of the limitations of claim 1**  
509 **as well as the further limitations of the intermediate dependent**  
510 **claims. Doherty also maintains ID information in a database and**  
511 **not embedded in the software package by the manner in which the**  
512 **executable modules of the software package are organized as**  
513 **claimed by the applicant. Doherty discloses a digital content**  
514 **file (DCF) including a license control mechanism controlling the**  
515 **licensed use of digital content and a system and method for**

516 distributing licensable digital content files and licenses. The  
517 file access control mechanism includes a license monitor and  
518 control mechanism communicating with a dynamic license database  
519 and controlling use of the digital content and a license control  
520 utility providing communications between a user system and an  
521 external system to communicate license definition information and  
522 includes a graphical user interface. The license information of  
523 Doherty may be stored initially in the dynamic license database  
524 or provided from an external system. **With the present invention,**  
525 **the license information is embedded in the arrangement of the**  
526 **executable software modules** of the software package not in a  
527 dynamic license database or provided from an external system as  
528 specified in Doherty. Thus, since neither Misra, nor Kobus nor  
529 Doherty, or even a hypothetical combination of all three  
530 references, shows or even suggests extracting information by  
531 determining an organization of the executable software modules  
532 within a software package as is disclosed and claimed by the  
533 applicant, it is submitted that claims 4 and 15 are allowable  
534 under 35 USC 103(a) over even the hypothetical combination of  
535 Misra, Kobus and Doherty.

536  
537 **III.** With regard to the rejection of claim 14 under 35 USC 103(a)  
538 as being unpatentable over Misra in view of Kobus and in still  
539 further view of Nabahi, it is noted that Nabahi was cited against  
540 dependent claims merely to allegedly show the use of a binary  
541 format. Applicant notes that Nabahi discloses neither the use of  
542 a binary format as used by the applicant, nor the use of  
543 extracted binary formatted organizational information to

determine identification information associated with a software package. Thus, since neither Misra, nor Kobus nor Nabahi, or even a hypothetical combination of all three references, shows or even suggests extracting information by determining an organization of the executable software modules within a software package as is disclosed and claimed by the applicant, it is submitted that claim 14 is allowable under 35 USC 103(a) over even the hypothetical combination of Misra, Kobus and Nabahi.

#### CONCLUSION

For the reasons stated above, applicant urges the Board to conclude that the rejections of claims 1-3, 5-13 and 16-24 under 35 USC 103(a) as being unpatentable over Misra in view of Kobus, and the rejections of claims 4 and 15 under 35 USC 103(a) as being unpatentable over Misra in view of Kobus, and still in further view of Doherty et al, and the rejection of claim 14 under 35 USC 103(a) as being unpatentable over Misra in view of Kobus, and still in further view of Nabahi, are not well-founded and should be reversed.

Please charge IBM Corporation Deposit Account No. 09-0447 in the amount of \$500.00 for submission of a Brief in Support of Appeal. No additional fee or extension of time is believed to be required; however, in the event an additional fee or extension of time is required, please charge the fee, as well as any other fee necessary to further the prosecution of this application, to the

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572 above-identified deposit account.

573

574 Respectfully submitted,  
575

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**CLAIMS APPENDIX**

583  
584  
585 1. A method for extracting identification information from a  
586 software package, said software package including a number of  
587 executable software modules organized in a manner determined by  
588 said identification information, said method comprising:  
589  
590 determining an organization of said executable software modules  
591 within said software package; and  
592  
593 extracting said identification information from said organization  
594 of said executable software modules within said software package.  
595  
596 2. The method as set forth in claim 1 wherein said executable  
597 software modules are coupled together in a manner representative  
598 of said identification information.  
599  
600 3. The method as set forth in claim 2 wherein said executable  
601 software modules are coupled together by compiling said software  
602 modules into an executable form of said software package.  
603  
604 4. The method as set forth in claim 2 wherein said executable  
605 software modules are coupled together by linking said executable  
606 software modules into an executable form of said software  
607 package.  
608  
609 5. The method as set forth in claim 1 and further including:  
610  
611 analyzing said software package to determine an organizational

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612 relationship among said executable software modules; and  
613  
614 determining a binary series from said organizational relationship  
615 of said executable software modules.  
616  
617 6. The method as set forth in claim 1 and further including  
618 transmitting said software package over a network to a requesting  
619 terminal, said requesting terminal being enabled to extract said  
620 identification information from said organization of said  
621 executable software modules of said software package.  
622  
623 7. The method as set forth in claim 6 wherein said software  
624 package is transmitted from a user terminal over an Internet  
625 network to a server.  
626  
627 8. The method as set forth in claim 6 wherein said user terminal  
628 is a wireless device.  
629  
630 9. The method as set forth in claim 6 wherein said user terminal  
631 is a personal computer system.  
632  
633 10. The method as set forth in claim 1 wherein said  
634 identification information includes an identification of a user  
635 of said software package.  
636  
637 11. The method as set forth in claim 1 wherein said  
638 identification information includes an identifying number related  
639 to said software package.

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640  
641 12. The method as set forth in claim 11 wherein said  
642 identification information further includes an identification of  
643 a user of said software package.  
644  
645 13. The method as set forth in claim 1 wherein said executable  
646 software modules are organized in a series of sets of executable  
647 software modules, each of said sets comprising a predetermined  
648 number of executable software modules.  
649  
650 14. The method as set forth in claim 13 wherein said series of  
651 sets corresponds to a binary series, and each of said sets  
652 comprises first and second executable software modules, said  
653 binary series being determined in accordance with a sequence of  
654 said first and second executable software modules within said  
655 sets of said executable software modules.  
656  
657 15. The method as set forth in claim 13 wherein said series of  
658 sets is organized in other than a binary format, each of said  
659 sets comprising a number of said executable software modules  
660 other than two, said identification information being determined  
661 according to an order in which said number of executable software  
662 modules are sequenced within said sets of executable software  
663 modules.  
664  
665 16. A medium including machine readable coded indicia, said  
666 machine readable coded indicia being selectively operable in  
667 combination with a processing circuit for extracting embedded

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668 identification information from a software package by determining  
669 an organization of executable software modules within said  
670 software package, wherein relationships between said executable  
671 software modules are representative of said identification  
672 information embedded within said software package.

673  
674 17. The medium as set forth in claim 16 wherein said medium is an  
675 optically encoded disk.

676  
677 18. The medium as set forth in claim 16 wherein said medium is a  
678 magnetically encoded magnetic diskette.

679  
680 19. The medium as set forth in claim 16 wherein said software  
681 package resides on a storage device within a computer device.

682  
683 20. The medium as set forth in claim 16 wherein software package  
684 resides on a memory device within a computer device.

685  
686 21. The medium as set forth in claim 16 wherein said embedded  
687 identification information includes an identification of a user  
688 of said software package.

689  
690 22. The medium as set forth in claim 16 wherein said embedded  
691 identification information includes an identifying number related  
692 to said software package.

693  
694 23. The medium as set forth in claim 22 wherein said embedded  
695 identification information further includes an identification of

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696 a user of said software package.

697

698 24. A network arranged to enable extracting of organizational  
699 information of an organization of executable software modules  
700 within a software package at a user terminal and transferring  
701 said organizational information to a server for use in deriving  
702 identification information embedded within said organizational  
703 information, said network comprising:

704

705 a user terminal at which said software package resides;

706

707 a server; and

708

709 an interconnection between said server and said user terminal,  
710 said user terminal being responsive to a request to upload said  
711 organizational information of said software package for  
712 determining said organizational information and transferring said  
713 organizational information to said server.

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714

**EVIDENCE APPENDIX**

715

716 There are no items in this Appendix.

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717

**RELATED PROCEEDINGS APPENDIX**

718

719 There are no items in this Appendix.

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